

Julie Cavanaugh-Bill
Nevada Bar No. 11533
CAVANAUGH-BILL LAW OFFICES, LLC
401 Railroad Street, Suite 307
Elko, Nevada 89801
Phone: (775)753-4357
Fax: (775)753-4360
Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

THOMAS G. SMITTLE

Plaintiff(s),

vs.

NEVADA DEPARTMENT OF CORRECTIONS;
WARDEN BRIAN WILLIAMS,

Defendant(s).

CASE NO.: 2:08-cv-00787-GMN-LRL

**STIPULATION AND ORDER TO
DISMISS WITHOUT PREJUDICE**

IT IS HEREBY STIPULATED by and between TIMOTHY ANDREWS, Deputy Attorney General for the Defendants herein, and JULIE CAVANAUGH-BILL, attorney for the Plaintiff herein, that the above-referenced proceeding be dismissed without prejudice. This stipulation is made due to the fact that the relief sought in this action is now moot as applies to the Petitioner individually as he is no longer incarcerated. Wherefore the parties agree as follows:

1. The above-entitled action shall be dismissed without prejudice; and
2. The parties shall bear their own attorney fees and costs.

SO STIPULATED this __4th day of __August_____, 2011.

CAVANAUGH-BILL LAW OFFICES, LLC
401 Railroad Street, Suite 307
Elko, Nevada 89801

OFFICE OF THE ATTORNEY GENERAL
Grant Sawyer Bldg.
555 E. Washington Ave., Ste 3900
Las Vegas, Nevada 89101

By: /s/ Julie Cavanaugh-Bill
Julie Cavanaugh-Bill
Attorney & Counselor at Law
Nevada Bar No. 11533

By: /s/Timothy F. Andrews
Timothy F. Andrews
Senior Deputy Attorney General
Nevada Bar No. 8759

ORDER TO DISMISS WITHOUT PREJUDICE

Upon Stipulation by counsel for the parties hereto, and with good cause appearing:

IT IS HEREBY ORDERED that the above-referenced matter is dismissed without prejudice.

DATED this 5th day of August, 2011.



Gloria M. Navarro
United States District Judge